

FIRST REGULAR SESSION

# HOUSE BILL NO. 1197

## 99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LYNCH.

2356H.011

D. ADAM CRUMBLISS, Chief Clerk

### AN ACT

To repeal section 195.206, RSMo, and to enact in lieu thereof one new section relating to opioid antagonists.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 195.206, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 195.206, to read as follows:

195.206. 1. As used in this section, the following terms shall mean:

(1) "[~~Emergency~~] Opioid antagonist", naloxone hydrochloride that blocks the effects of an opioid overdose that is administered in a manner approved by the United States Food and Drug Administration or any accepted medical practice method of administering;

(2) "Opioid-related drug overdose", a condition including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, or death resulting from the consumption or use of an opioid or other substance with which an opioid was combined or a condition that a layperson would reasonably believe to be an opioid-related drug overdose that requires medical assistance.

2. **Notwithstanding any other law or regulation to the contrary:**

(1) **The director of the department of health and senior services, if a licensed physician, may issue a statewide standing order for an opioid antagonist;**

(2) **In the alternative, the department may employ or contract with a licensed physician who may issue a statewide standing order for an opioid antagonist with the express written consent of the department director.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16           **3.** Notwithstanding any other law or regulation to the contrary, any licensed pharmacist  
17 in Missouri may sell and dispense an opioid antagonist under physician protocol **or under a**  
18 **statewide standing order issued under subsection 2 of this section.**

19           ~~[3-]~~ **4.** A licensed pharmacist who, acting in good faith and with reasonable care, sells  
20 or dispenses an opioid antagonist and appropriate device to administer the drug, and the protocol  
21 physician, shall not be subject to any criminal or civil liability or any professional disciplinary  
22 action for prescribing or dispensing the opioid antagonist or any outcome resulting from the  
23 administration of the opioid antagonist. **A physician issuing a statewide standing order under**  
24 **subsection 2 of this section shall not be subject to any criminal or civil liability or any**  
25 **professional disciplinary action for issuing the standing order or for any outcome related**  
26 **to the order or the administration of the opioid antagonist.**

27           ~~[4-]~~ **5.** Notwithstanding any other law or regulation to the contrary, it shall be permissible  
28 for any person to possess an opioid antagonist.

29           ~~[5-]~~ **6.** Any person who administers an opioid antagonist to another person shall,  
30 immediately after administering the drug, contact emergency personnel. Any person who, acting  
31 in good faith and with reasonable care, administers an opioid antagonist to another person whom  
32 the person believes to be suffering an opioid-related overdose shall be immune from criminal  
33 prosecution, disciplinary actions from his or her professional licensing board, and civil liability  
34 due to the administration of the opioid antagonist.

✓